

PERMIT TERMS AND CONDITIONS
West Phoenix Expansion Project

Operating Permit Conditions
West Phoenix Power Plant Expansion Project
S99-013

In accordance with Maricopa County Air Pollution Control Rules and Regulations (Rules), Rule 210 § 302.2, all Conditions of this Permit are Federally enforceable unless they are identified as being locally enforceable only. However, any Permit Condition identified as locally enforceable only will become Federally enforceable if, during the term of this Permit, the underlying requirement becomes a requirement of the Clean Air Act (CAA) or any of the CAA's applicable requirements.

All Federally enforceable terms and conditions of this Permit are enforceable by the Administrator of the United States Environmental Protection Agency (Administrator or Administrator of the USEPA hereafter) and citizens under the CAA.

Any cited regulatory paragraphs or section numbers refer to the version of the regulation that was in effect on the first date of public notice of the applicable Permit Condition unless specified otherwise.

I. EQUIPMENT LIST

This permit applies to the following sources:

CC3: 57 MW General Electric Frame 7C Combustion Turbine (modified unit)

Selective Catalytic Reduction (SCR) NO_x control

Height of Stack 54ft.

Heat Recovery Steam Generator (HRSG) (no emissions)

28 MW Steam Turbine (no emissions)

CC4: 80 MW General Electric Frame 7EA Combustion Turbine

Duct Burners (Heat input rate: 40 MMBtu/hr)

Oxidation Catalyst

Height of Stack 120ft

Heat Recovery Steam Generator (HRSG) (no emissions)

50 MW Steam Turbine (no emissions)

Cooling Tower – 40,000 gpm capacity

CC5: 175 MW Siemens Westinghouse Model 501 F Combustion Turbine (2 identical units), or equivalent

CO Catalyst and Ammonia Selective Catalytic Reduction (SCR)

Height of Stack 175 ft

Duct Burner (Heat input rate: 245 MMBtu/hr) (2 identical units)

Heat Recovery Stem Generator (HRSG) (2 identical units) (no emissions)

180 MW Steam Turbine (no emissions)

Cooling Tower – 140,000 gpm capacity

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II. GENERAL CONDITIONS:

AIR POLLUTION PROHIBITED:

[County Rule 100 §301] [SIP Rule 3]

No person shall discharge from any source whatever into the atmosphere regulated air pollutants which exceed in quantity or concentration that specified and allowed in the County or SIP Rules, the Arizona Administrative Code (AAC) or the Arizona Revised Statutes (ARS), or which cause damage to property or unreasonably interfere with the comfortable enjoyment of life or property of a substantial part of a community, or obscure visibility, or which in any way degrade the quality of the ambient air below the standards established by the Maricopa County Board of Supervisors or the Director of the Arizona Department of Environmental Quality (ADEQ).

CIRCUMVENTION:

[County Rule 100 §104] [40 CFR 60.12] [40 CFR 63.4]

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, conceals or dilutes an emission which would otherwise constitute a violation of this Permit or any Rule or any emission limitation or standard. No person shall circumvent the requirements concerning dilution of air contaminants by using more emission openings than is considered normal practice by the industry or activity in question.

CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS:

[County Rule 210 §§301.7, 302.1 e (1), 305.1(c)(1) & 305.1e]

Any application form, report, or compliance certification submitted pursuant to the County Rules or these Permit Conditions shall contain certification by a responsible official of truth, accuracy, and completeness of the application as of the time of submittal. This certification and any other certification required pursuant to the County Rules or these Permit Conditions shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

COMPLIANCE:

A. COMPLIANCE REQUIRED:

- 1) The Permittee must comply with all conditions of this permit and with all applicable requirements of Arizona air quality statutes and the air quality rules. Compliance with permit terms and conditions does not relieve, modify, or otherwise affect the Permittee's duty to comply with all applicable requirements of Arizona air quality statutes and the Maricopa County Air Pollution Control Regulations. Any permit non-compliance is grounds for enforcement action; for a permit revocation and reissuance, or revision; or for denial of a permit renewal application. Noncompliance with any Federally enforceable requirement in this Permit constitutes a violation of the Act. [Federally enforceable if the condition or requirement itself is Federally enforceable and only locally enforceable if the condition or requirement itself is locally enforceable only]
[County Rule 210 §§301.8 b 4 & 302.1 h (1)]
- 2) The Permittee shall halt or reduce the permitted activity in order to maintain compliance with applicable requirements of Federal laws, Arizona laws, the County Rules, or other conditions of this Permit.

[County Rule 210 §302.1 h (2)]

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- 3) For any major source operating in a nonattainment area for any pollutant(s) for which the source is classified as a major source, the source shall comply with reasonably available control technology (RACT) as defined in County Rule 100.
[County Rule 210 §302.1 (h) (6)] [SIP Rule 220 §302.1]

Compliance with the RACT requirements of this Permit Condition for NO_x shall not be required if a waiver granted by the Administrator under Section 182 (f) of the Clean Air Act is in effect.

B. COMPLIANCE CERTIFICATION REQUIREMENTS:

[County Rule 210 §305.1 d]

The Permittee shall file a semiannual compliance certification with the Control Officer and also with the Administrator of the USEPA. The report shall certify compliance with the terms and conditions contained in this Permit, including emission limitations, standards, or work practices. The certification shall be on a form supplied or approved by the Control Officer and shall include each of the following:

- 1) The identification of each term or condition of the permit that is the basis of the certification;
- 2) The compliance status;
- 3) Whether compliance was continuous or intermittent;
- 4) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
- 5) Other facts as the Control Officer may require to determine the compliance status of the source.

The semiannual certification shall be filed at the same time as the semiannual monitoring report required by the Specific Condition section of these Permit Conditions.

C. COMPLIANCE PLAN:

[County Rule 210 §305.1g]

Based on the certified information contained in the application for this Permit, the facility is in compliance with all applicable requirements in effect as of the release date of the proposed conditions for this Permit. The Permittee shall continue to comply with all applicable requirements and shall meet any applicable requirements that may become effective during the term of this permit on a timely basis. [Federally enforceable if the applicable requirement itself is Federally enforceable and only locally enforceable if the applicable requirement itself is locally enforceable only]

D. OFFSET PLAN:

[County Rule 240 §306.1]

Based on the certified information contained in the Air Emissions Offset Plan submitted with the application for this Permit, the facility has demonstrated that sufficient creditable emission are available to offset the emissions from this project as follows:

Pollutant	Project Net Increase (T/yr)	Offset Ratio	Required Offset (T/yr)
PM10	100	1.5:1	150
VOC	45.0	1.2:1	54.0

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The applicant is voluntarily increasing the quantity of PM₁₀ offsets to be obtained from the required 150 tons to 162.5.

The Applicant shall submit to the Control Officer proof of installation of required control technologies to implement these emission reductions 10-days prior to the first initial start-up of any unit covered by this permit. Any change to the proposed Air Emissions Offset Plan shall be submitted for approval by the Control Officer.

CONFIDENTIALITY CLAIMS:

[County Rules 100 §402 and 200 §411]

Any records, reports or information obtained from any person pursuant to the County Rules or this Permit shall be available to the public, unless the person files a claim of confidentiality in accordance with ARS §49-487(c) which:

- A. Precisely identifies the information in the permit(s), records, or reports which is considered confidential, and
- B. Provides sufficient supporting information to allow the Control Officer to evaluate whether such information satisfies the requirements related to trade secrets or, if applicable, how the information, if disclosed, could cause substantial harm to the person's competitive position.

The claim of confidentiality is subject to the determination by the Control Officer as to whether the claim satisfies the claim for trade secrets.

A claim of confidentiality shall not excuse a person from providing any and all information required or requested by the Control Officer and shall not be a defense for failure to provide such information.

A source that has submitted information with an application under a claim of confidentiality pursuant to ARS 49-487 and County Rule 200 shall submit a copy of such information directly to the Administrator of the USEPA.

[County Rule 210 §301.5]

CONTINGENT REQUIREMENTS:

NOTE: This Permit Condition covers activities and processes addressed by the Clean Air Act which may or may not be present at the facility. This condition is intended to meet the requirements of both Section 504(a) of the 1990 Amendments to the CAA which requires that Title V permits contain conditions necessary to assure compliance with applicable requirements of the Act as well as the Acid Rain provisions required to be in all Title V permits.

- A. ACID RAIN: [County Rule 210 §§302.1b(2) & 302.1f, County Rule 371]
 - 1). Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated pursuant to Title IV of the CAA and incorporated pursuant to County Rule 371, both provisions shall be incorporated into this Permit and shall be enforceable by the Administrator.
 - 2) The Permittee shall not allow emissions exceeding any allowances that the source lawfully holds pursuant to Title IV of the CAA or the regulations promulgated thereunder and incorporated pursuant to County Rule 371.
 - a) No permit revision shall be required for increases in emissions that are

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authorized by allowances acquired pursuant to the acid rain program and incorporated pursuant to County Rule 371, provided that such increases do not require a permit revision pursuant to any other applicable requirement.

- b) No limit is placed on the number of allowances held by the Permittee. The Permittee may not, however, use allowances as a defense to non-compliance with any other applicable requirement.
- c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated pursuant to Title IV of the CAA.
- d) All of the following prohibitions apply to any unit subject to the provisions of Title IV of the CAA and incorporated into this Permit pursuant to County Rule 371:
 - (1) Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide held by the owners or operators of the unit or the designated representative of the owners or operators.
 - (2) Exceedances of applicable emission rates.
 - (3) The use of any allowance prior to the year for which it was allocated.
 - (4) Violation of any other provision of the permit.

B. ASBESTOS:

[40 CFR 61, Subpart M] [County Rule 370 §301.8 - locally enforceable only]

The Permittee shall comply with the applicable requirements of Sections 61.145 through 61.147 and 61.150 of the National Emission Standard for Asbestos and County Rule 370 for all demolition and renovation projects.

C. RISK MANAGEMENT PLAN (RMP):

[40 CFR 68]

Should this stationary source, as defined in 40 CFR 68.3, be subject to the accidental release prevention regulations in Part 68, then the Permittee shall submit an RMP by the date specified in Section 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 CFR Part 70. However, neither the RMP nor modifications to the RMP shall be considered to be a part of this Permit.

D. STRATOSPHERIC OZONE PROTECTION:

[40 CFR 82 Subparts E, F, and G]

If applicable, the Permittee shall follow the requirements of 40CFR 82.106 through 82.124 with respect to the labeling of products using ozone depleting substances.

If applicable, the Permittee shall comply with all of the following requirements with respect to recycling and emissions reductions:

- 1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- 2) Equipment used during maintenance, service, repair, or disposal of appliances must meet the standards for recycling and recovery equipment in accordance with 40 CFR 82.158.
- 3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by a certified technician pursuant to 40 CFR 82.161.

If applicable, the Permittee shall follow the requirements of 40CFR Subpart G, including all Appendices, with respect to the safe alternatives policy on the

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acceptability of substitutes for ozone-depleting compounds.

DUTY TO SUPPLEMENT OR CORRECT APPLICATION: [County Rule 210 §301.6]

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a proposed permit.

EMERGENCY EPISODES: [County Rule 600 §302] [SIP Rule 72 e, f & g]

If an air pollution alert, warning, or emergency has been declared, the Permittee shall comply with any applicable requirements of County Rule 600 §302

EMERGENCY PROVISIONS: [County Rule 100 §501]

An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the requirements of this Permit Condition are met.

The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted source was at the time being properly operated;
- C. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in this permit; and
- D. The Permittee as soon as possible telephoned the Control Officer giving notice of the emergency and submitted notice of the emergency to the Control Officer by certified mail or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirement of County Rule 210. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

This provision is in addition to any emergency or upset provision contained in any applicable requirement.

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III. FUEL USE REQUIREMENTS AND LIMITATIONS

[SIP Rule 32F] [County Rule 240 §308] [County Rule 320 §308] [County Rule 371]

The requirements of this section will become effective upon the commercial operation of CC4 or CC5, whichever occurs earlier.

Natural Gas –CC4, and CC5 shall combust only pipeline quality natural gas.

Natural Gas or Fuel Oil – When firing natural gas, CC3 shall combust only pipeline grade natural gas. When firing fuel oil, CC3 shall combust only distillate oil with a maximum allowable sulfur content of 0.05% by weight, minimum HHV of 133,333 Btu/gal, and a minimum API Gravity of 30. CC3 shall not consume more than 500,000 gallons of fuel oil per year.

IV. EMISSION LIMITS

The annual and short-term emission limits listed in this permit for CC3 will become effective upon the commercial operation of CC4 or CC5, whichever occurs earlier.

Annual Emission Limits

[County Rule 240 §305 and §308]

The actual tons per year emissions, based on a 365 day rolling average, from units CC3, CC4, CC5, and the cooling towers for CC4 and CC5, including startup and shutdown emissions, but not including malfunction emissions, shall not exceed the allowable emissions listed in Table 1. As stipulated in Section V. Monitoring Requirements, operating data and estimated actual emissions shall be compiled daily to present data from continuous emissions monitors and hourly emissions computed from data loggers programmed to estimate emissions during startup and shutdown mode. The daily data shall provide rolling 365 day averages of total emissions for these sources. The daily data shall be maintained on site for review by MCESD and submitted in semi-annual reports to MCESD.

Table 1
Allowable Combined Emissions for CC3, CC4, CC5,
and CC4 and CC5 Cooling Tower emission units (tpy)

Parameter	NO _x	CO	SO ₂	VOC	PM/PM10 ¹
Estimated Potential Emissions ²	405.1	184.2	16.3	42.0	108.3
Annual Emission Limits	405.1	184.2	16.3	56.1	108.3

Footnote 1: This value represents PM10 emissions. For emissions from the cooling towers, total PM is twice the PM 10 value. For emissions from combustion equipment, PM equals the PM10 value.

Footnote 2: Maximum conditions for two or more individual pollutants do not necessarily occur under the same operating scenario.

Short-term Emission Limits – Startup/Shutdown

[County Rule 240 §305 and §308]

The maximum short-term emissions from CC3, CC4 and CC5 during periods of startup and shutdown shall not exceed the allowable emissions listed in Table 2a, excluding periods of malfunctions. Startup and shutdown (SU/SD) are defined as any period of operation when the gas turbine is operating at equal to or less than 60% of its rated output power, excluding

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periods of malfunction.

Table 2a
Short-term Allowable Emissions during SU/SD (lb/hr)

Unit #	NOx	CO	VOC	PM10	SO2
Averaging Interval	1-hour	1-hour	1-hour	1-hour	1-hour
CC3	273.7	360	12.4	5.0	44.14
CC4	87.8	435	15	5.0	0.34
CC5 (per turbine)	169	870	29	8.0	0.65

Short-term Emission Limits – Normal Operation

[County Rule 241 §301, County Rule 320 §308, locally enforceable only] [County Rule 360]
[40 CFR 60][SIP Rule 32F] [County Rule 500 §300] [County Rule 510 § 300]

The maximum short-term emissions from CC3, CC4 and CC5 during periods of normal operation shall not exceed the allowable emissions listed in Table 2b, excluding periods of startup and shutdown, malfunctions, and equipment shakedown prior to commercial operations. Normal operation is defined as any period of operation when the gas turbine is operating at greater than 60% of its maximum capacity.

The maximum short-term emissions of ammonia from CC5 shall be limited to 10 ppmv during normal operations, excluding periods of startup and shutdown, malfunctions, and equipment shakedown prior to commercial operations. Normal operation is defined as any period of operation when the gas turbine is operating at greater than 60% of its maximum capacity.

The SO₂ emissions from CC3 are limited based on 0.05% sulfur content in fuel oil and 133,333 Btu/lb HHV, and the 0.0006 lb/MMBtu Acid Rain default emission factor.

The maximum short-term NO_x emissions from the duct burners on CC4 and CC5 shall be limited to 0.20 lb/MMBtu.

Table 2b
Maximum Short-term Allowable Emissions during normal operations (lb/hr)

Unit #	NOx	CO	VOC	PM10	SO2
Averaging Interval	3-hour	3-hour	3-hour	3-hour	3-hour
CC3 - Gas	28.0	2.3	3.75	5.0	0.47
CC3 - Oil	56.3	38.7	6.85	49.2	44.14
CC4	31.0	B/L	B/L	B/L	B/L
CC5 (per turbine)	24.3	B/L	B/L	B/L	B/L

Note: the designation “B/L” refers to contaminants for which the source is required to meet air flow, heat rate, or fuel quality dependent BACT or LAER emission rates, as shown in the next section. The short-term allowable emission rate for these pollutants shall be the BACT/LAER emission rate.

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LAER and BACT Emission Limits

The emissions for PM10, VOC, and CO shall be calculated on a 3-hour rolling average, excluding periods of startup, shutdown, malfunction, and equipment shakedown prior to commercial operations. Maximum short-term emissions are estimated at 100% capacity.

The PM10 and VOC emissions from CC4 and CC5 emission units shall not exceed the allowable emissions listed in Table 3. The allowable limit shall be the greater of the lb/hr or lb/MMBtu emission rate

The CO emissions from CC4 and CC5 emission units during normal operations shall not exceed the allowable emissions listed in Table 3. The outlet concentration of CO from CC4 and CC5 shall also not exceed 6 ppmvd at 15% O₂.

Table 3
BACT/LAER Allowable Emissions (3-hour rolling average)

Unit #	PM10 LAER Limit	VOC LAER Limit	CO BACT Limit
CC5 – Normal Operations (per turbine)	8.0 lb/hr or 0.00443 lb/MMBtu	3.29 lb/hr or 0.00182 lb/MMBtu	4.1 lb/hr
CC5 – Normal Operations and Duct Burner (per turbine)	8.0 + 2.675 lb/hr or 0.00514 lb/MMBtu	3.29 + 1.88 lb/hr or 0.00249 lb/MMBtu	4.1 + 2.14 lb/hr
CC5 – Power Augmentation and Duct Burner (per turbine)	8.0 + 2.675 lb/hr or 0.00486 lb/MMBtu	3.50 + 1.88 lb/hr or 0.00245 lb/MMBtu	8.3 + 2.14 lb/hr
CC4 - Normal Operations	5.0 lb/hr or 0.00529 lb/MMBtu	1.26 lb/hr or 0.00133 lb/MMBtu	5.2 lb/hr
CC4 – Normal Operations and Duct Burner	5.0 + 0.40 lb/hr or 0.00549 lb/MMBtu	1.26 + 0.28 lb/hr or 0.00156 lb/MMBtu	5.2 + 0.32 lb/hr

Opacity Limits

The Permittee shall not discharge into the ambient air from any single source of emissions any air contaminant other than condensed water containing no more than analytical trace amounts of other chemical elements or compounds, in excess of 20 percent opacity, except the following:

- a) Start-up and Shut-down: Visible emissions exceeding the opacity standards for short periods of time resulting from start-up, shut-down, soot blowing or unavoidable combustion irregularities which do not exceed three minutes in length shall not constitute a violation provided that the Control Officer finds that adequate control technology has been applied.
- b) Emergencies: Unavoidable combustion irregularities which exceed three minutes shall not constitute a violation of these Permit Conditions providing the owner or operator demonstrate to the Control Officer's satisfaction that an emergency exists in accordance with County Rule 100 § 501.

[County Rule 300 §§ 301, 302.1,2] [locally enforceable only]

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Except as otherwise provided in Regulation I, Rule 4, Exceptions, the opacity of any plume or effluent from any source of emissions, other than uncombined water, shall not be greater than 40 percent opacity as determined by Reference Method 9 in the Arizona Testing Manual.

[SIP Rule 30]

- c) Opacity Determination: Opacity shall be determined by observations of visible emissions conducted in accordance with EPA Reference Method 9 except opacity of visible emissions from intermittent sources: Opacity of visible emissions from intermittent sources shall be determined by observations conducted in accordance with EPA Reference Method 9, except that at least 12 rather than 24 consecutive readings shall be required at 15-second intervals for the averaging time.

[County Rule 300 §§501, 502] [locally enforceable only]

V. MONITORING REQUIREMENTS

[County Rules 245, 360 and 371] [40 CFR 60]

The requirements of this section will become effective upon the commercial operation of CC4 or CC5, whichever occurs earlier.

- 1) Within 90 days after commencement of commercial operation (i.e., "Commence commercial operation means to have begun to generate electricity for sale, including the sale of test generation" as defined by 40 CFR 72.2), a continuous emissions monitoring system (CEMS) shall be installed, certified, and operated on CC3, CC4, and CC5 emission units. The CEMS, at a minimum, shall consist of a NO_x concentration monitor, a CO concentration monitor, and an O₂ or CO₂ diluent gas monitor in accordance with the applicable provisions of 40 CFR Part 75 and 40 CFR Part 60, Appendices B and F.
- 2) Within 90 days after the commencement of commercial operations (as defined by 40 CFR 72.2), natural gas fuel flowmeters shall be installed, certified, and operated on each fuel line to CC3, CC4, and CC5 emission units to monitor the unit-specific fuel flow to the combustion turbines and duct burners in accordance with 40 CFR Part 75. An oil fuel flowmeter shall also be installed, certified, and operated on CC3 to monitor the fuel flow to the unit.
- 3) The operating and emissions information required in Sections 1 and 2 above shall be compiled by a computerized Data Acquisition System (DAS), which shall be programmed to calculate and track the short-term and annual emission rates of all compounds, using the measurements and formulas described herein.
- 4) NO_x emissions for normal operations, startup and shutdown emissions shall be measured using the continuous emission monitoring system (CEMS) applied to each of the emission units.
- 5) CO emissions for normal operations and startup/shutdown shall be measured using a CEMS that has been installed, certified, and operated in accordance with 40 CFR Part 60. Either a single dual-range CO analyzer or two CO analyzers calibrated for different

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concentration ranges may be used. The applicant shall notify the APCO prior to startup which monitoring method will be implemented.

- 6) In the event that the CO analyzer measuring startup shutdown emissions is not operational or cannot reliably document emissions, startup/shutdown CO emissions shall be determined by monitoring the total elapsed time in hours during each phase of the startup/shutdown sequence (rounded to hundredths), and multiplying by the emission rates listed in Table 4. The calculation shall be made by the computerized Data Acquisition System (DAS) described in Condition 3 of Section V. Monitoring Requirements.

Table 4
Calculated Startup/Shutdown Emissions

Unit	Pollutant	Startup/Shutdown Phase and Operational Criteria	lb/hr rate
CC5	CO	Phase 1 – Oxidation Catalyst Temp < 450F	870.0
CC5	CO	Phase 2 and 3 – Oxidation Catalyst Temp > 450F	87.0
CC5	VOC	Phase 1 – Oxidation Catalyst Temp < 450F	29.0
CC5	VOC	Phase 2 and 3 – Oxidation Catalyst Temp > 450F	20.3
CC4	CO	Phase 1 – Oxidation Catalyst Temp < 450F	435.0
CC4	CO	Phase 2 and 3 – Oxidation Catalyst Temp > 450F	43.5
CC4	VOC	Phase 1 – Oxidation Catalyst Temp < 450F	15.0
CC4	VOC	Phase 2 and 3 – Oxidation Catalyst Temp > 450F	10.5
CC3	CO	Phase 1 and 2 – All Startup/shutdown Emissions	360.2
CC3	VOC	Phase 1 and 2 – All Startup/shutdown Emissions	12.4

- 7) VOC emissions for normal operations shall be determined through fuel usage monitoring and application of the appropriate emission factors for CC4 and CC5 contained in Table 3 and a factor of 0.0048 lb/MMBtu for CC3 when firing natural gas, and a factor of 0.0085 lb/MMBtu when firing oil. Startup/shutdown VOC emissions from CC3, CC4, and CC5 will be determined by monitoring the total elapsed time during each phase of the startup/shutdown sequence, and multiplying by the emission rates listed in Table 4. The VOC emissions from CC3, CC4, and CC5, including normal operations and startup and shutdown emissions, shall be monitored with an automatic data acquisition and handling system. The system must be capable of automatically performing the VOC emission calculations described above.
- 8) PM10 emissions for normal operations and startup/shutdowns shall be determined through fuel usage monitoring and application of the appropriate emission factors for CC4 and CC5 contained in Table 3 and a factor of 0.00639 lb/MMBtu for CC3 for natural gas and 0.061 lb/MMBtu for fuel oil. The PM10 emissions from CC3, CC4, and CC5, including normal operations and startup and shutdown emissions, shall be monitored with an automatic data acquisition and handling system. The system must be capable of automatically performing the PM10 emission calculations described above.
- 9) PM10 emissions from the CC4 and CC5 cooling towers will be determined through monthly testing of TDS concentrations and calculations using the following equation:

$$\text{PM10 (lb/hr)} = \text{Tower capacity (gpm)} * \text{TDS (ppm)} * 1.26\text{E-}9$$

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where $1.26\text{E-}9 = (8.4 \text{ lb/gal}) (0.0005\% \text{ drift}) (60 \text{ min/hr}) (0.5 \text{ PM}_{10}/\text{PM}) (10\text{E-}6/\text{ppm})$

SO₂ emissions from gas firing during normal operations and startup/shutdowns shall be determined through fuel usage monitoring and application of the Acid Rain (40 CFR 75) natural gas emission factor of 0.0006 lb/MMBtu. SO₂ emissions from oil firing of CC3 shall be determined in accordance with the provisions of 40 CFR Part 75, Appendix D.

EXCESS EMISSIONS: [County Rule 100 §502 - locally enforceable only]

NOTES: This Permit Condition is based on a County Rule which has not been adopted into the State Implementation Plan and is therefore applicable only at the County level.

There are reporting requirements associated with excess emissions. These requirements are contained in the Reporting section of the General Permit Conditions in a subparagraph called Excess Emissions.

- A. Emissions in excess of an applicable emission limitation contained in the Rules or in these Permit Conditions shall constitute a violation. For all situations that constitute an emergency as described in Rule 100 §501, the affirmative defense and reporting requirements contained in Rule 100 §501 shall apply. In all other circumstances, it shall be an affirmative defense if the owner or operator of the source has complied with the reporting requirements of Rule 100 §502.3 and these Permit Conditions in a timely manner and has demonstrated all of the following:
- 1) The excess emissions resulted from a sudden and unavoidable breakdown of the process or the control equipment, resulted from unavoidable conditions during startup or shutdown, resulted from unavoidable conditions during an upset of operations, or that greater or more extended excess emissions would result unless scheduled maintenance is performed;
 - 2) The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
 - 3) Where repairs were required, such repairs were made in an expeditious fashion when the applicable emission limitations were being exceeded and off-shift labor and overtime were utilized where practical to insure that such repairs were made as expeditiously as possible. If off-shift labor and overtime were not utilized, the owner or operator satisfactorily demonstrated that such measures were impractical;
 - 4) The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;
 - 5) All feasible steps were taken to minimize the impact of the excess emissions on potential violations of ambient air quality standards;
 - 6) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and
 - 7) During the period of excess emissions, there were no measured violations of the ambient air quality standards established in Rule 510 which could be attributed to the emitting source.

- B. It shall be the burden of the owner or operator of the source to demonstrate,

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through submission of the data and information required by Rule 100 §502 and these Permit Conditions that all reasonable and practicable measures within the owner or operator's control were implemented to prevent the occurrence of excess emissions.

VI. PERFORMANCE TESTS

[County Rules 270, 300, and 360] [40 CFR 60]

The requirements of this section will become effective upon the commercial operation of CC4 or CC5, whichever occurs earlier.

Within 60 days after achieving the maximum production rate of the affected emission units, but not later than 180 days after the initial startup of the equipment (as defined by 40 CFR 60.2), and at such other times as specified by MCESD, the owner/operator shall conduct performance tests for all contaminants from each unit as shown below or for other pollutants that may be required by MCESD. The performance tests shall be conducted to demonstrate compliance with the emission limits specified in Section IV. Emission Limits

Opacity testing shall be conducted for CC3, CC4, and CC5 when firing natural gas at +/- 5% of nameplate capacity, and for CC3 when firing fuel oil at +/- 5% of nameplate capacity.

Testing shall be conducted for CC3, CC4, and CC5 for VOC, NO_x, CO, SO₂, and PM₁₀ when firing natural gas under the operating scenarios outlined in Table 5. Separate tests shall be conducted for each of the two CTs on CC5. All tests shall be three hours in duration.

Testing for the CC4 and CC5 duct burners will follow the requirements listed at 40 CFR Part 60.46b(f).

Table 5
Stack Testing Requirements

Test No.	Load Condition	Duct Burners	Power Augmentation
1	60% - 80% max load	Off	Off
2	+/- 5% of nameplate capacity	Off	Off
3	60% - 80% max load	Off	On
4	+/- 5% of nameplate capacity	Off	On
5	60% - 80% max load	On	Off
6	+/- 5% of nameplate capacity	On	Off
7	60% - 80% max load	On	On
8	+/- 5% of nameplate capacity	On	On

If deemed appropriate by the Control Officer, SO₂ emissions may be calculated based upon fuel sulfur content and fuel consumption during the source test.

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In addition to the above tests under natural gas firing scenarios, the owner/operator shall conduct:

- Two performance test for CC3 for VOC, NO_x, CO, SO₂, and PM₁₀ while firing fuel oil; one test at an operating load at 60-80% of maximum rated power output, and one test at an operating load +/- 5% of nameplate capacity; and
- One performance test for CC3 and CC5 for Ammonia while firing natural gas at an operating load of +/- 5% of nameplate capacity.

Periodic Testing

The owner/operator shall conduct periodic testing to verify ongoing compliance as follows:

- One performance test annually for CC3, CC4, and CC5 (both turbines) for PM₁₀ and VOC when firing natural gas at +/- 5% of nameplate capacity.
- One performance test annually for CC3 for PM₁₀ and VOC when firing fuel oil at +/- 5% of nameplate capacity. This test shall only be required if fuel oil has been combusted, other than for routine maintenance activities, within the previous 12 months.
- One performance test for CC3 and CC5 for Ammonia every five years. This testing shall be conducted each time the permit is renewed.

The above testing requirements represent the minimum level of testing to verify compliance with the emission limits in this permit. Nothing in this section shall prevent the Control Officer from requiring additional source testing as deemed necessary to ensure permit compliance and protection of the public health and welfare. All testing shall be conducted in accordance with an approved testing protocol.

Except as otherwise specified in these Permit Conditions or by the Control Officer, required testing used to determine compliance with standards or permit conditions established pursuant to the County or SIP Rules or these Permit Conditions shall be conducted in accordance with County Rule 270 and the applicable testing procedures contained in the Arizona Testing Manual for Air Pollutant Emissions or other approved USEPA test methods.

[County Rule 200 §408 & County Rule 270]

Equivalent test methods and procedures may be used in lieu of those described in this paragraph if approved by the Control Officer

[County Rule 270 §402]

The owner or operator of a permitted source shall provide, or cause to be provided, performance testing facilities as follows:

- A. Sampling ports adequate for test methods applicable to such source.
- B. Safe sampling platform(s).
- C. Safe access to sampling platforms(s).
- D. Utilities for sampling and testing equipment.

[County Rule 270 §405]

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VII. RECORD KEEPING AND REPORTING

1. The owner or operator of any air pollution source shall maintain records of all emissions testing and monitoring, records detailing all malfunctions which may cause any applicable emission limitation to be exceeded, records detailing the implementation of approved control plans and compliance schedules, records required as a condition of any permit, records of materials used or produced and any other records relating to the emission of air contaminants which may be requested by the Control Officer.

[County Rule 100 §503]

2. Information and records required by the Control Officer or these Permit Conditions as well as copies of summarizing reports recorded by the owner or operator and submitted to the Control Officer shall be retained by the owner or operator for five years after the date on which the pertinent report is submitted.

[County Rule 100 §506]

Records of all required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or physical records for continuous monitoring instrumentation, and copies of all reports required by the permit.

[County Rule 210 §§302.1d(2) and 305.1b(2)]

3. Records of any monitoring required by this Permit shall include the following:
 - 1) The date, place as defined in the permit, and time of sampling or measurements;
 - 2) The date(s) analyses were performed;
 - 3) The company or entity that performed the analyses;
 - 4) The analytical techniques or methods used;
 - 5) The results of such analyses; and
 - 6) The operating conditions as existing at the time of sampling or measurement

[County Rule 210 §§302.1d(1) and 305.1b(1)]

4. When the Control Officer has reasonable cause to believe that any person has violated or is in violation of any provision of County Rule 100 or any County Rule adopted pursuant to County Rule 100, or any requirement of this permit, the Control Officer may request, in writing, that such person produce all existing books, records, and other documents evidencing tests, inspections, or studies which may reasonably relate to compliance or noncompliance with County Rules adopted pursuant to County Rule 100. No person shall fail nor refuse to produce all existing documents required in such written request by the Control Officer.

[County Rule 100 §106]

5. A file shall be maintained of all measurements including continuous monitoring system evaluations, all continuous monitoring system or monitoring device calibration checks, adjustments and maintenance performed on these systems or devices as required by 40 CFR Part 60 or Part 75. The records shall be recorded in a permanent form suitable for inspection. The file shall be maintained for at least five years following the date of such measurement, maintenance, report, or record.

[County Rule 210 and 360] [40 CFR 60]

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6. A semi-annual compliance report shall be submitted to Maricopa County Air Quality Division, with a copy to the EPA Regional Administrator. The semi-annual compliance report shall be postmarked no later than April 30th, and shall report the compliance status of the source during the period between October 1st of the previous year and March 31st of the current year. The second compliance report shall be submitted no later than October 31st and shall report the compliance status of the source during the period between April 1st and September 30th of the current year. The initial compliance report shall reflect the compliance status of the source beginning with the date of the permit issuance.

[County Rule 210 and 360] [40 CFR 60]

7. When requested by the Control Officer, information to locate and classify air contaminant sources according to type, level, duration, frequency and other characteristics of emissions or other information as may be necessary, shall be furnished to the Maricopa County Air Quality Division. This information shall be sufficient to evaluate the effect on air quality and compliance with the County or SIP Rules.

[County Rule 210]

8. The Permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions. An upset for the purposes of this permit condition shall be defined as the operation of any process, equipment or air pollution control device outside of either its normal design criteria or operating conditions specified in this permit and which results in an exceedance of any applicable emission limitation or standard. The report shall be submitted to the Control Officer by certified mail, facsimile, or hand delivery within two working days of the knowledge of the deviation and shall contain a description of the probable cause of such deviations, and any corrective actions or preventive measures taken. In addition, the Permittee shall report within a reasonable time of any long-term corrective actions or preventative actions taken as the result of any deviations from permit requirements. All instances of deviations from the requirements of this Permit shall also be clearly identified in the semiannual monitoring reports.

[County Rule 210]

9. The Permittee shall, as soon as possible, telephone the Control Officer giving notice of the emergency and submitted notice of the emergency to the Control Officer by certified mail or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

[County Rule 100]

10. Upon request of the Control Officer and as directed by the Control Officer, the owner or operator of any source which emits or may emit oxides of nitrogen (NO_x) or volatile organic compounds (VOC) shall provide the Control Officer with an emission statement, in such form as the Control Officer prescribes, showing measured actual emissions or estimated actual emissions of NO_x and VOC from that source. At a minimum the emission statement shall contain all information contained in the "Guidance on Emission Statements" document as described in the USEPA's Aerometric Information Retrieval System (AIRS) Fixed Format Report (AFP 644). The statement shall contain emissions for the time period specified by the Control Officer. Statements shall be submitted annually. The Control Officer may waive

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this requirement for the owner or operator of any source which emits less than 25 tons per year of oxides of nitrogen or volatile organic compounds with an approved emission inventory for sources based on the USEPA's Compilation of Air Pollutant Emission Factors (AP-42) or other methodologies approved by the Administrator.

[County Rule 100]

11. Excess emissions shall be reported as follows:

- a) The Permittee shall report to the Control Officer any emissions in excess of the limits established either by the Rules or these Permit Conditions. The report shall be in two parts as specified below:
 - i) Notification by telephone or facsimile within 24 hours of the time when the owner or operator first learned of the occurrence of excess emissions.
 - ii) Detailed written notification within 72 hours of the telephone notification.
- b) The excess emissions report shall contain the following information:
 - i) The identity of each stack or other emission point where the excess emissions occurred.
 - ii) The magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
 - iii) The time and duration or expected duration of the excess emissions.
 - iv) The identity of the equipment from which the excess emissions emanated.
 - v) The nature and cause of such emissions.
 - vi) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction.
 - vii) The steps that were or are being taken to limit the excess emissions. If this Permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from start-up or malfunction, the report shall contain a list of the steps taken to comply with the Permit procedures.
- c) In the case of continuous or recurring excess emissions, the notification requirements of this section shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification pursuant to Rule 100 §502.3(a)(2).

[County Rule 210 and 360] [40 CFR 60]

12. The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing this permit, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by this Permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator along with a claim of confidentiality as covered elsewhere in these Permit Conditions.

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13. The Permittee shall develop and maintain written O&M Plans for all components integral to the equipment used to monitor, control or limit emissions from combustion Units CC3, CC4, CC5 and Cooling Towers CC4 and CC5. These O&M Plans shall be approved either in writing by the Control Officer or by County Rule. The O&M Plans developed for monitoring equipment shall meet the applicable content requirements of 40 CFR Part 75 and Part 60 Appendix F. Development, maintenance of, and operating in accordance with the approved O&M Plans shall be required as an element to demonstrate compliance with this Permit.
[County Rule 210, 305, and 360] [40 CFR 60]
14. The Applicant shall furnish the APCO written notification of the status of CC3, CC4, and CC5 as follows:
1. A notification of the date construction (or reconstruction) of an affected facility is commenced postmarked no later than 30 days after such date,
 2. A notification of the anticipated date of initial startup of an affected facility postmarked within 15 days after such date,
 3. A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date,
 4. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable Subpart or in Section 60.14(e). This notice shall be postmarked within 60 days or as soon as commenced and shall include information describing the precise nature of the change, present and proposed emissions control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.
 5. A notification of the anticipated date for conducting the opacity observations required by Section 60.11(e)(1). The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
- [40 CFR §60.7]

Definitions

For the purpose of this condition, the following definitions shall apply:

The nameplate capacities for the various emission units are:

- a) CC5 – each turbine – 1,808 MMBtu/hr heat input and 175.2 Mw turbine output
 - b) CC4 – 944.4 MMBtu/hr heat input and 80.3 Mw turbine output
 - c) CC3 – 782 MMBtu/hr heat input and 55.0 Mw turbine output
 - d) CC5 Duct Burners – each burner – 245 MMBtu/hr heat input
 - e) CC4 Duct Burner – 40 MMBtu/hr heat input
 - f) CC5 Cooling Tower – 140,000 gpm capacity
 - g) CC4 Cooling Tower – 40,000 gpm capacity
- 1) “TPY” shall be defined as “tons emitted in any rolling 12-month period, with a new 12-month period beginning on the first day of each calendar month.”
 - 2) “Normal operations” for CC3, CC4, and CC5 shall be defined as operation at loads greater than the minimum normal operating load of 60% of the nameplate CT generating capacity.
 - 3) “O&M Plan” shall be defined as the Operations and Maintenance Plan most recently

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approved either in writing by the Control Officer or by County Rule.

- 4) The "startup period" shall be defined as the total elapsed time between first fuel firing and achieving the minimum normal operating load.
- 5) The "shutdown period" shall be defined as the total elapsed time between operations below minimum normal operating load and cessation of fuel firing.
- 6) "Malfunctions" shall be defined as any sudden and unavoidable failure of air pollution control equipment or process equipment to operate in a normal and usual manner, but does not include failures caused by poor maintenance, careless operation, or any other condition that could have been prevented by the exercise of reasonable care. During the first 180 days of shakedown operation of CC3-CC5, malfunctions will also include periods of excess emissions caused by poor combustion turbine tuning.

VII. PERMITS:

A. BASIC: [County Rule 210 §302.1h(3)]

This Permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any Permit Condition.

B. PERMITS AND PERMIT CHANGES, AMENDMENTS AND REVISIONS:

[County Rule 200 §§301 & 308] [County Rule 210 §§301.4a, b, & c, and 400]

The Permittee shall comply with the Administrative Requirements of Section 400 of County Rule 210 for all changes, amendments and revisions at the facility for any source subject to regulation under County Rule 200, shall comply with all required time frames, and shall obtain any required pre-approval from the Control Officer before making changes. All applications shall be filed in the manner and form prescribed by the Control Officer. The application shall contain all the information necessary to enable the Control Officer to make the determination to grant or to deny a permit or permit revision including information listed in County Rule 200 §308 and County Rule 210 §§301 & 302.3.

The Permittee shall supply a complete copy of each application for a permit, a minor permit revision, or a significant permit revision directly to the Administrator of the USEPA. The Control Officer may require the application information to be submitted in a computer-readable format compatible with the Administrator's national database management system.

[County Rule 210 §§303.1(a), 405.4, & 406.4]

The Control Officer may with reasonable cause require the applicant to provide additional information and may set a reasonable deadline for a response.

[County Rule 210 §301.4f]

No permit revision shall be required pursuant to any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

[County Rule 210 §302.1j]

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C. POSTING:

Any person who has been granted a permit shall keep a complete permit clearly visible and accessible on the site where the equipment is installed.

[County Rule 200 §311]

If a Dust Control Plan, as required by Rule 310, has been approved as a part of this Permit, a copy of the latest approved Dust Control Plan must be posted in a conspicuous site at the worksite, within on-site equipment, in an on-site vehicle, or otherwise kept readily available on site at all times.

[County Rule 310 §402]

D. PROHIBITION ON PERMIT MODIFICATION: [County Rule 200 §310]

A person shall not willfully deface, alter, forge, counterfeit, or falsify this permit.

E. RENEWAL:

[County Rule 210 §§ 301 & 302]

The Permittee shall submit an application for the renewal of this Permit in a timely and complete manner. For purposes of permit renewal, a timely application is one that is submitted at least six months, but not more than 18 months, prior to the date of permit expiration. A complete application shall contain all of the information required by the County Rules including Rule 200 §308 and Rule 210 §§301 & 302.3.

[County Rule 210 §§301.2a and 301.4a, b, c, d, h]

All permit applications shall be filed in the manner and form prescribed by the Control Officer. To apply for a permit renewal, applicants shall complete the "Standard Permit Application Form" and shall supply all information, including the information required by the "Filing Instructions" as shown in Appendix B of the County Rules, which is necessary to enable the Control Officer to make the determination to grant or to deny a permit which shall contain such terms and conditions as the Control Officer deems necessary to assure a source's compliance with the requirements of the County Rules.

[County Rule 200 §§308 & 309] [County Rule 210 §301.1]

The Control Officer may with reasonable cause require the applicant to provide additional information and may set a reasonable deadline for a response.

[County Rule 210 § 301.4f]

If a timely and complete application for a permit renewal is submitted, but the Control Officer has failed to issue or deny the renewal permit before the end of the term of the previous permit, then the permit shall not expire until the renewal permit has been issued or denied. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit, by the deadline specified by the Control Officer, any additional information identified as being needed to process the application.

[County Rules 200 §403.2 and 210 §§301.4f and 301.9]

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F. REVISION / REOPENING / REVOCATION:

- 1) This permit shall be reopened and revised to incorporate additional applicable requirements adopted by the Administrator pursuant to the CAA that become applicable to the facility if this permit has a remaining permit term of three or more years. No such reopening is required if the effective date of the requirement is later than the date on which this Permit is due to expire unless the original permit or any of its terms have been extended pursuant to Rule 200 §403.2. [County Rules 200 §402.1]

Any permit revision required pursuant to this paragraph shall reopen the entire permit and shall comply with provisions in County Rule 200 for permit renewal (*Note: this includes a facility wide application and public comment on the entire permit*) and shall reset the five year permit term. [County Rules 200 §402.1a(1) & 210 §302.5, is locally enforceable only, and would apply if the permit is reopened and revised under this paragraph by the Control Officer.]

Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall effect only those parts of the Permit for which cause to reopen exists. [40CFR 70.7(f)(2) and would apply if the permit is reopened and revised under this paragraph by the Administrator]

- 2) This permit shall be reopened and revised under any of the following circumstances:
 - a) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the Title V permit. [County Rule 200 §402.1]
 - b) The Control Officer or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit. [County Rule 200 §402.1]
 - c) The Control Officer or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [County Rule 200 §402.1]

Proceedings to reopen and issue a permit under subparagraphs a), b), or c) of this subsection shall follow the same procedures as apply to initial permit issuance and shall effect only those parts of the Permit for which cause to reopen exists. [County Rule 200 §402.1]

- 3) In addition, this permit shall be reopened by the Control Officer and any permit shall be revised, when it is determined that standards or conditions in the permit are based on incorrect information provided by the applicant. [County Rule 210 §407.3]
- 4) This Permit may be revised, reopened, revoked and reissued, or terminated for

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cause. The filing of a request by the Permittee for a Permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any Permit Condition.

[County Rule 210 §302.1h(3)]

G. REVISION PURSUANT TO A FEDERAL HAZARDOUS AIR POLLUTANT STANDARD: [locally enforceable only] [County Rule 210 §301.2c]

If the Permittee becomes subject to a standard promulgated by the Administrator pursuant to Section 112(d) of the CAA, the Permittee shall, within 12 months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

H. REQUIREMENTS FOR A PERMIT:

Except as noted pursuant to the provisions in Sections 403 and 405 of County Rule 210, no source may operate after the time that it is required to submit a timely and complete application, except in compliance with a permit issued pursuant to County Rule 210. Permit expiration terminates the Permittee's right to operate. However, if a source submits a timely and complete application, as defined in County Rule 210 §301, for permit issuance, revision, or renewal, the source's failure to have a permit is not a violation of the County Rules until the Control Officer takes final action on the application. The Source's ability to operate without a permit as set forth in this paragraph shall be in effect from the date the application is determined to be complete until the final permit is issued. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit, by the deadline specified in writing by the Control Officer, any additional information identified as being needed to process the application. If a source submits a timely and complete application for a permit renewal, but the Control Officer has failed to issue or deny the renewal permit before the end of the term of the previous permit, then the permit shall not expire until the permit renewal has been issued or denied.

[County Rule 210 §301.9]

No person shall commence any earth moving operation or any dust generating operation without meeting the requirements of and obtaining any and all Earth Moving Equipment Permits and Permits to Operate required by County Rule 200.

The provisions of this section shall not apply:

- 1) During emergency, life threatening situations or in conjunction with any officially declared disaster or state of emergency;
- 2) To operations conducted by essential service utilities to provide electricity, natural gas, oil and gas transmission, cable television, telephone, water, and sewerage during service outages and emergency disruptions;
- 3) To non-routine or emergency maintenance of flood control channels and water retention basins.
- 4) To vehicle test and development facilities and operations when dust is required to test and validate design integrity, product quality and/or commercial acceptance. Such facilities and operations shall be exempted from the provisions of this section only if such testing is not feasible within enclosed facilities.

[County Rule 310 §302] [SIP Rule 310 §302]

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The Permittee shall obtain a Permit To Burn from the Control Officer before conducting any open outdoor fire except for the activities listed in County Rule 314 §§302.1 and 302.2.

[County Rules 314 & 200 §306] [SIP Rule 314]

I. RIGHTS AND PRIVILEGES: [County Rule 210 §302.1h(4)]
This Permit does not convey any property rights nor exclusive privilege of any sort.

J. SEVERABILITY: [County Rule 210 §302.1g]
The provisions of this Permit are severable, and, if any provision of this Permit is held invalid, the remainder of this Permit shall not be affected thereby.

K. SCOPE:
The issuance of any permit or permit revision shall not relieve the owner or operator from compliance with any Federal laws, Arizona laws, or the County or SIP Rules, nor does any other law, regulation or permit relieve the owner or operator from obtaining a permit or permit revision required under the County Rules.
[County Rule 200 §308] [SIP Rule 22H]

Nothing in this permit shall alter or affect the following:

- 1) The provisions of Section 303 of the Act, including the authority of the Administrator pursuant to that section.
- 2) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.
- 3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Act.
- 4) The ability of the Administrator of the USEPA or of the Control Officer to obtain information from a source pursuant to Section 114 of the Act, or any provision of State law.
- 5) The authority of the Control Officer to require compliance with new applicable requirements adopted after the permit is issued. [locally enforceable only]
[County Rule 210 §407.2]

L. TERM OF PERMIT: [County Rule 210 §§302.1a & 402]
This Permit shall remain in effect for no more than 5 years from the date of issuance.

M. TRANSFER: [County Rule 200 §404]
Except as provided in ARS 49-429 and County Rule 200, this permit may be transferred to another person if the person who holds the permit gives notice to the Control Officer in writing at least 30 days before the proposed transfer and complies with the permit transfer requirements of County Rule 200 and the administrative permit amendment procedures pursuant to County Rule 210.

FEES: [County Rules 200 §409; 210 §302.1i; 210 §401]
The Permittee shall pay fees to the Control Officer pursuant to ARS 49-480(D) and County Rule 280.

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MODELING:

[locally enforceable only][County Rule 200 §407]

Where the Control Officer requires a person to perform air quality impact modeling, the modeling shall be performed in a manner consistent with the "Guideline on Air Quality Models (Revised)" (EPA-450/2-78-027R, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, July 1986) and "Supplement B to the Guideline on Air Quality Models" (U.S. Environmental Protection Agency, September 1990). Both documents shall be referred to hereinafter as "Guideline", and are adopted by reference. Where the person can demonstrate that an air quality impact model specified in the guideline is inappropriate, the model may be modified or another model substituted if found to be acceptable to the Control Officer.

RIGHT TO ENTRY AND INSPECTION OF PREMISES:

[County Rules 100 §105 and 210 §305.1f]

The Control Officer during reasonable hours, for the purpose of enforcing and administering County Rules, or any provision of the Arizona Revised Statutes relating to the emission or control prescribed pursuant thereto, may enter every building, premises, or other place, except the interior of structures used as private residences. Every person is guilty of a petty offense pursuant to ARS §49-488 who in any way denies, obstructs or hampers such entrance or inspection that is lawfully authorized by warrant.

The Permittee shall allow the Control Officer or his authorized representative, upon presentation of proper credentials and other documents as may be required by law, to:

- A. Enter upon the Permittee's premises where a source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of the permit;
- B. Have access to and copy, at reasonable times, any records that are required to be kept pursuant to the conditions of the permit;
- C. Inspect, at reasonable times, any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required pursuant to this permit;
- D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- E. To record any inspection by use of written, electronic, magnetic, and photographic media.

[Locally enforceable only]